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FISCAL IMPACT STATEMENT

LS 6941

BILL NUMBER: SB 268

NOTE PREPARED: Jan 3, 2006

BILL AMENDED:

SUBJECT: Psychological Testing.

FIRST AUTHOR: Sen. Miller

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that an individual licensed as a marriage and family therapist, mental health counselor, or clinical social worker may administer or interpret a psychological test under the direction of a licensed psychologist or psychiatrist if the individual meets certain requirements. It requires the Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board to adopt rules concerning psychological tests and testing and provides that the rules, to take effect, must be approved by the State Psychological Board and the Medical Licensing Board.

It provides that rules adopted by the State Psychology Board after July 1, 2006, to take effect, must be approved by the Medical Licensing Board. It defines "psychological test". The bill also removes: (1) the definition of "restricted psychology test or instrument"; and (2) provisions requiring the State Psychological Board to establish a list of restricted psychology tests. It also repeals the definition of "appraisal".

Effective Date: July 1, 2006.

Explanation of State Expenditures: This bill removes the requirement that the Psychology Board report a list of registered psychology tests to the Social Work Certification and Marriage and Family Therapists Credentialing Board, who may comment or object to the list. The bill also requires the Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board to adopt rules regarding psychology testing which are to be approved by the State Psychological Board and the Medical Licensing Board. The boards will be able to implement the provisions in this bill given their existing level of resources.

Explanation of State Revenues: *Penalty Provision:* This bill adds licensed: marriage and family therapists,

social workers, clinical social workers, and mental health counselors to the list of professionals who may administer and interpret psychology testing. Anyone who performs psychology testing unlawfully commits a Class A misdemeanor. This bill reduces the potential for this law to be violated.

When court cases occur and fines are collected, there is revenue to both the Common School Fund (from fines) and the state General Fund (from court fees). The maximum fine for a Class A misdemeanor is \$5,000. However, any reduction in revenue would likely be small.

Explanation of Local Expenditures: *Penalty Provision:* A Class A misdemeanor is punishable by up to one year in jail.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any reduction in revenue would likely be small.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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